

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1639 – HB 1682

February 24, 2016

SUMMARY OF ORIGINAL BILL: Requires that certain data received by the Comptroller of the Treasury for the creation of a survey to be deemed confidential and not open to public inspection. Such data includes, but is not limited to, survey records, responses, data, home and work addresses and phone numbers, social security numbers, and any information that could reasonably be used to locate the whereabouts of an individual; intra-agency communications; inter-agency communications; and other records.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (012817): Adds language to the original bill clarifying that any survey created by the Open Records Council, created by Tenn. Code Ann. § 8-4-601, shall not be confidential.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 10-7-503(a)(7)(A), a records custodian may not require a written request or assess a charge to view a public record unless otherwise required by law.
- The provisions of the legislation will allow the Comptroller's Office to deem certain records confidential and avoid the costs related to providing those records for inspection. The amount of any such cost avoidance is estimated to be not significant.
- Any survey created by the Open Records Council will remain available to the public.
- According to the Comptroller's Office, treating the abovementioned information as confidential will result in no fiscal impact.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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